

Late Filing

Dear FCC Commissioners & Staff:

My name is Patrick Fuller and I am the CEO and president of tpisp.net, in Sparta, Tennessee. We began business only two years ago and it has been an uphill battle to gain our small market share with 500 customers, most of whom live and work in Sparta and Spencer, but we also do a fair amount of web hosting for customers throughout the nation, and have some overseas customers as well.

We offer many services that our local phone company, Frontier/Citizens/Ben Lomand, do not. Services like free Internet training classes on Wednesday nights, at our offices. We also helped our local library get online, and provide free equipment and Internet for the Senior Citizens Center. And when a subscriber has a problem, we don't do automated voice punch numbers or keep people waiting on the phone. We even go to their homes and fix their computers (often at cost) just to provide good 'Independent' Service.

When we opened for business we started, as many ISPs did, with the stack against us. The phone companies did not want any form of competition. It took forever to get the local loop at a charge far exceeding what they charge themselves. But after very much work we enabled broadband access and began to take on subscribers.

Not only do we provide 'service' but we cut our costs to the bone to give that service, including the personal touch, to be 'competitive,' and grow. While we have not recovered our initial cost, we are just now breaking even.

And now I hear of this Bell Scam to cut us out of the Internet.

Nowadays we have moved on from ordinary phone lines to digital PRI's (Primary Rate ISDN). We 'could' provide DSL and full ISDN. It is within our capability. But, not at the cost the phone company would charge us for the same service they do not charge themselves. Yet, we have loyal dial-up customers, and now they are taking them too with this FCC change. Where is the opportunity to be competitive in this country anymore? A small business, contributing to the community, providing local taxes and local employment.....and three or four wealth phone companies let us build the market only to take it away?

Unfortunately, I can't say the same about DSL. The CLEC we work with has chosen not to enter the DSL business, and the expansion of some of the 'Data CLECs' has stopped. If we want to offer Internet access over DSL to our customers, we must do it through High Cost Broadband Providers, and the prices they have offered us make it impossible for us to compete. We are expected to pay \$40 per month for the data line to reach the customer, and turn around and compete with them for \$17.99, which is offering reconfigured phone lines, internet access and free \$200 modems, for \$50 per month. There is no way we can offer this product without losing money, and so we have stayed out of the DSL market. Unfortunately this also means that we are losing customers, either to Phone Companies for DSL or to the cable company, since more and more of our customers are demanding faster access and if we can't provide it, they'll go to someone who will. If that trend continues, tpisp.net will not be around much longer. And the government will find another bankruptcy in court.

I do not have the resources to fight the tariff that Phone Companies and places like Ameritech has filed that allows it to get away with charging ISPs a wholesale rate of \$40 for access to the network. I believe the true cost is probably a great deal less than that. However, I also believe it should

be a 'fair playing field' in which what they charge themselves should be no less than what they charge an independent ISP. The answer is for the FCC to make a good faith effort to uncover the discrimination (whether it is in pricing or provisioning) and put an end to it. Until the FCC has demonstrated that it is willing to do this for ISPs, any talk about lifting the rules for monopolies is premature.

I repeat: It should be a 'fair playing ground.' I have the equipment and resources

Sincerely,

Patrick Fuller
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